

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GREGORY N. LEONARD,)	3:15-cv-00031-RCJ-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	May 23, 2016
)	
GREG COX, et al.,)	
)	
Defendants .)	
)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is Plaintiff's Request for Issue of Subpoenas "for the purpose of summoning witnesses to trial, or in the alternative, for the use of deposing witnesses." (ECF No. 42.)

To the extent Plaintiff seeks subpoenas to subpoena witnesses for trial, the motion is **denied without prejudice** as premature. To the extent Plaintiff wants subpoenas to depose witnesses or obtain documents via Rule 45, the motion is **denied without prejudice**. No scheduling order authorizing discovery has yet been entered in this matter. Plaintiff also does not indicate on whom he seeks to serve subpoenas.

Plaintiff can renew his motion at the appropriate time and identify those whom he seeks to serve subpoenas for depositions (trial subpoenas should await until after the case has been set for trial). Plaintiff is reminded that under Rule 45, if the subpoena requires attendance at trial or for deposition testimony, he must tender the fees for one day's attendance and mileage allowed by law. In addition, if Plaintiff wants to depose someone, he also has to arrange and pay for a deposition reporter as required by Rule 30(b)(3). It will also be Plaintiff's responsibility to serve the subpoenas.

Also before the court is Plaintiff's Motion to Stay Defendants' Motion for Summary Judgment (ECF No. 43). The court interprets Plaintiff's motion (ECF No. 43) as a Fed. Rule Civ. P. 56(d) motion which provides that:

By: _____ /s/
Deputy Clerk